



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार, 27 फरवरी, 2007 / 8 फाल्गुन, 1928

हिमाचल प्रदेश सरकार

श्रम एवं रोजगार विभाग

अधिसूचना

शिमला—171002, 17 फरवरी, 2007

संख्या श्रम(ए)4-7/2006.—हिमाचल प्रदेश के राज्यपाल, न्यूनतम मजदूरी अधिनियम, 1948 की धारा 30 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, इस विभाग की अधिसूचना संख्या 7-188/76-एल० ई० पी० श्रम, तारीख 23 अगस्त, 1978 द्वारा अधिसूचित और तारीख 5 अगस्त, 1980 के राजपत्र, हिमाचल प्रदेश (असाधारण) में प्रकाशित हिमाचल प्रदेश मिनिस्टर वेजिज रूल्ज, 1978 का संशोधन करने के लिये निम्नलिखित नियम बनाने का प्रस्ताव करते हैं और उन्हें एतदद्वारा जनसाधारण की सूचना के लिये प्रकाशित किया जा रहा है।

इन नियमों द्वारा सम्भाव्य प्रभावित होने वाले किसी हितवद्ध व्यक्ति के, इन नियमों की बाबत यदि कोई आक्षेप या सुझाव है, तो वह उन्हें इन प्रारूप नियमों के राजपत्र, हिमाचल प्रदेश में प्रकाशन की तारीख से तीस दिन की अवधि के भीतर, सचिव (श्रम एवं रोजगार) हिमाचल प्रदेश सरकार को भेज सकेगा।

उपरोक्त नियत अवधि के भीतर प्राप्त आक्षेप(पो) या सुझाव(वो), यदि कोई है, पर उक्त प्रारूप नियमों को अन्तिम रूप देने से पूर्व सरकार द्वारा विचार किया जाएगा, अर्थात् :-

प्रारूप नियम

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश मिनिमम वेजिज (अमैण्डमैन्ट) रूल्ज, 2006 है।

2. नियम 28 का संशोधन.—हिमाचल प्रदेश मिनिमम वेजिज रूल्ज, 1978 (जिन्हें इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 28 में, उप—नियम (6) के पश्चात् नया उप—नियम (7) जोड़ा जाएगा, अर्थात्:-

"(7) (a) Every employer shall submit employees/workers Identity Cards to the area Labour Officer within three days from the date of employment of the employees/workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker:

Provided further that if the employee/workman is required to issue Employment Card /Pass Book/ Ticket under the Contract Labour (Regulation and Abolition) Himachal Pradesh Rules, 1974 or under the Himachal Pradesh Migrant Workmen (Regulation of Employment & Condition of Service) Himachal Pradesh Rules, 1983, and Industrial Employment (Standing Orders) Himachal Pradesh Rules, 1973 respectively, there shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978.

- (b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees/workers employed in the establishment.
- (c) The employer shall maintain the record of issue of Identity Cards of employees/workers of the establishment in Form-VII and shall also maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its index in Form-VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.
- (d) The employees/workers Identity Cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, whichever is earlier.
- (e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three year to the area Labour Officer. The Labour Officer shall return

the same duly attested within a period of seven days from the date of receipt of the same, to the employer for further distribution to the employees/workers.

(f) The Identity Card shall be maintained upto date and any change in it and corresponding Form No-VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. फार्म VII का प्रतिस्थापन.—इन नियमों से संलग्न फार्म—VII के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :-

"Form-VII

[See rules 28, 6 and 7]

REGISTER OF EMPLOYEE

Sr. No.					
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(last 4 digits of Identity Card No.)

2. Registration/Licence No.*

4. Contractor Licence No.

Affix Latest
photograph of
employee to
be attested by
the employer

6. Serial Number of the worker in the Register of Workers**. | | | | | | | | |

7. Worker/Employee Name.													
8. Father/Husband's Name													
9. Date of Birth [DD/MM/YYYY]			/			/						10. Sex [M/F]	
11. Local Residential address of the worker.													
12. Permanent address of the worker.													
13. Name of next Kin of the worker.													
14. Date of Employment			/			/						(In the Current Job)	
15. Wage Rate Per Month													
16. Nature of Job/ Designation													
17. Intended time limit in present employment			/			/							

Signature /Thumb Impression of the Employee

Declaration

It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Signature of Employer/Contractor"

Date.....

4. फार्म VII—ए का जोड़ा जाना.—इन नियमों से संलग्न फार्म—VII के पश्चात् निम्नलिखित फार्म अन्तस्थापित किया जाएगा, अर्थात् :—

“Form-VII-A
[See rule 28(7)]

Index of Form-VII

1. Serial No. of Form XIII (same as last 4 digits of Identity Card No.).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of termination of employment along with reasons.....
6. Remarks.....

Declaration

It is declared that the information given in above Index are correct as per record and factual position.

Signature of the Employer”

5. फार्म XIII का जोड़ा जाना.—इन नियमों से संलग्न फार्म XII के पश्चात् निम्नलिखित फार्म जोड़ा जाएगा, अर्थात्:—

“Form-XIII
[See rule 28(7)]

Workers/Employees Identity Card

Name of Establishment.....

ID Card No.....

Name.....

Date of Birth.....

Father's/Husband Name.....

Photograph of
worker

Local Address.....

Name of Next Kin.....

Permanent Address.....

Contractor Name.....

Signature of Worker.....

Licence No. if any.....

Address.....
.....

Nature of Employment.....

Date of Employment.....

Wage rate.....

Valid upto.....

Issued by	Attested by
Employer/Contractor Signature	Labour Officer/Inspector
Date of Issue.....	Place....."

आदेश द्वारा,
हस्ताक्षरित /—
सचिव ।

[Authoritative English Text of this Department Notification No. Shram-(A)4-7/2006 dated 17-2-2007 as required under clause (3) of Article 348 of the Constitution of India]

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 17th February, 2007

No. Shram(A)4-7/2006.— In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948, the Governor of Himachal Pradesh proposes to make the following rules to amend the Himachal Pradesh Minimum Wages Rules, 1978 notified *vide* this Department notification No. 7-188/76-LEP-Shram, dated 23rd August, 1978 and published in Rajpatra, Himachal

Pradesh (Extraordinary) dated 5th August, 1980 and the same are hereby published for the information of the general public;

If any interested person, likely to be affected by these rules, has any objection(s) or suggestion(s), with regard to these rules, he may send the same to the Secretary (Labour and Employment) to the Government of Himachal Pradesh, within a period of thirty days from the date of publication of the draft rules in the Rajpatra, Himachal Pradesh;

The objection(s) or suggestion(s) if any, received within the above stipulated period shall be taken into consideration by the Government before finalizing the said draft rules, namely:—

DRAFT RULES

1. Short title.—These rules may be called the Himachal Pradesh Minimum Wages (Amendment) Rules, 2006.

2. Amendment of rule 28.—In rule 28 of the Himachal Pradesh Minimum Wages Rules, 1978 (hereinafter referred to as the said Rules), after sub-rule (6), new sub-rule (7) shall be added namely:—

“(7) (a) Every employer shall submit employees/workers Identity Cards to the area Labour Officer within three days from the date of employment of the employees/ workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker:

Provided further that if the employee/workmen is required to issue Employment Card/Pass Book/Ticket under the Contract Labour (Regulation and Abolition) Himachal Pradesh Rules, 1974 or under the Himachal Pradesh Migrant Workmen (Regulation of Employment & Condition of Service) Himachal Pradesh Rules, 1983, and Industrial Employment (Standing Orders) Himachal Pradesh Rules, 1973 respectively, there shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978.

- (b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees / workers employed in the establishment.
- (c) The employer shall maintain the record of issue of Identity Cards of employees/workers of the establishment in Form-VII and shall also maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its index in Form-VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.

- (d) The employees/workers Identity Cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, whichever is earlier.
- (e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three year to the area Labour Officer. The Labour Officer shall return the same duly attested within a period of seven days from the date of receipt of the same, to the employer for further distribution to the employees/workers.
- (f) The Identity Card shall be maintained upto date and any change in it and corresponding Form No. VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. Substitution of Form VII.—For Form VII appended to these rules, the following shall be substituted, namely:—

"Form-VII

[See Rules 28, 6 and 7]

Register of Employee

Sr. No.				
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(last 4 digits of Identity Card No.)

1. Name & Address of the Establishment.		Telephone No.
2. Registration/Licence No.*:		
3. Contractor Name		Affix Latest photograph of employee to be attested by the employer
4. Contractor Licence No.		
5. Contractor address.		
6. Serial Number of the worker in the Register of Workers		

Signature /Thumb Impression of the Employee

Declaration

It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Signature of Employer/Contractor

Date.....

4. Addition of Form-VII-A.— After Form VII appended to these rules, the following form shall be inserted, namely:—

“Form-VII-A

[See rule 28(7)]

Index of Form-VII (to be maintained as a column-wise register)

1. Serial No. of Form XIII (same as last 4 digits of Identity Card No).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of termination of employment alongwith reasons.....
6. Remarks.....

Declaration

It is declared that the information given in above Index is correct as per record and factual position.

Signature of the Employer”

5. Addition of form -XIII.— After Form XII appended to these said rules, the following form shall be added, namely:—

“Form-XIII
[See rule 28(7)]

Workers/Employees Identity Card

Name of Establishment.....

ID Card No.....

Name.....

Date of Birth.....

Father's/Husband Name.....

Photograph of
worker

Local Address.....

Name of Next Kin.....

Permanent Address.....

Contractor Name.....

Signature of Worker.....

Licence No. if any.....

Address.....

Nature of Employment.....

Date of Employment.....

Wage rate.....

Valid upto.....

Issued by	Attested by
Employer/Contractor Signature	Labour Officer/Inspector
Date of Issue.....	Place....."

By order,
Sd/-
Secretary.

